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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 95,1408-GGG)

In the Application of:

Kellogg, et al.



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Before the Examiner:

Serial No. 09/858,318

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Filed: May 15, 2001

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For: Microfluidics Devices and Methods for
High Throughput Screening

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Confirmation No.: 3092

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

In regard to the above-identified application:

1. We are transmitting herewith the attached
 - a. Response to Notice to File Corrected Application Papers
 - b. Copy of the Notice to File Corrected Application Papers
 - c. Thirty-six (36) sheets of formal drawings
 - d. Preliminary Amendment
 - e. Drawing pages 17-19, showing proposed changes in red ink
 - f. Return Receipt Postcard
2. With respect to additional fees:
 - a. No additional fee is required.
3. Please charge any deficiency in the amount due, or credit any overpayment, to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. **CERTIFICATE OF MAILING UNDER 37 CFR § 1.8:** The undersigned hereby certifies that this Transmittal Letter and the papers, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as "First Class Mail" in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on this **25th day of March, 2002.**

By:

Kevin E. Noonan
Reg. No. 35,303

PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 95,1408-GGG)

In the Application of:

Kellogg, et al.



Before the Examiner:

Serial No. 09/858,318

Group Art Unit: 1743

Filed: May 15, 2001

For: Microfluidics Devices and Methods for
High Throughput Screening

Confirmation No.: 3092

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS MAILED
MARCH 11, 2002

Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Notice to File Corrected Application Papers, mailed March 11, 2002, Applicants submit herewith thirty-six (36) sheets of formal drawings, pursuant to 37 CFR §1.84. Please note that the same drawings were submitted on October 18, 2001, in response to an identical Notice to File Corrected Application Papers, mailed August 8, 2001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

By:

Kevin E. Noonan
Reg. No. 35,303

Date: March 25, 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/858,318	05/15/2001	Gregory J. Kellogg	95,1408-GGG

20306
MCDONNELL BOEHNEN HULBERT & BERGOFF
300 SOUTH WACKER DRIVE
SUITE 3200
CHICAGO, IL 60606

CONFIRMATION NO. 3092

FORMALITIES LETTER



OC000000007614106

Date Mailed: 03/11/2002



NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);

The following item(s) appear to have been **omitted** from the application:

- Figure(s) **Fig. 7D** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO.

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h))) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice.

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) OR (b)**. In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing

date as of the date of deposit of the application papers in the USPTO, and original application papers (i.e., the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

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Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE